

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

SHELDON G. ADELSON,

Plaintiff,

v.

MOSHE HANANEL,

Defendant.

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)
)
) Civil Action No.
)
)

04-cv-10357-RCL
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)

**EIGHTH AFFIDAVIT OF MOSHE HANANEL IN SUPPORT OF RENEWED MOTION
TO DISMISS FOR FORUM NON CONVENIENS**

I, Moshe Hananel, depose and say:

1. I am the Defendant in the above action. I state the following facts of my own personal knowledge, except where stated to be on information and belief, and, as to such facts, I believe them to be true.

2. I regret that I have to respond to the undignified, humiliating and uncivilized personal attacks on me by Adelson. I regret having to provide additional details of my medical situation, and having to describe, to people who do not really know, details of the struggle of a person with my visual and physical disabilities to preserve some aspects of a normal life.

3. I have attached as Exhibit 1 hereto notes I obtained from Dr. Huleihel, the physician treating my vision, and from Dr. Siev-Ner, orthopedic surgeon and Director of the Department of Orthopedic Rehabilitation at Tel Hashomer Hospital, and Dr. Admon, podiatrist of the Jerusalem Diabetic Foot Clinic, who are treating my diabetic foot syndrome, dated January 8 and 4, 2006. They refer to my 100% disability, my need for assistance, and the high risk arising from the danger that my eye and leg problems can suddenly and dramatically deteriorate, requiring emergency attention possibly including amputation. Dr. Huleihel refers to his

recommendation that I not fly because, as he has told me, pressure changes may affect my retinas following eye operations on both eyes. I have also attached the most recent certificate of my legal blindness.

4. The photographs and video attached to Adelson's Opposition show only very short periods of trips I took on two days in two different weeks. As I have previously stated, in paragraph 19 of my 2d Aff. (Dkt. # 21), I spend much of my time at home using the Vision Technology, Inc. equipment and computer installed there, as I live, function and work primarily in my house. From the still photographs, it is clear that the photographer watched me for over twelve hours on those two days but selected only a small sample. As the edited video (but not the photographs, which appear to have been even more selective) shows, my wife Tirza drove to town and accompanied me. I visited a bookstore, asked the shopkeeper about various books, and he gave me his chair after I requested it and I sat at his table and tried to look at titles and tables of contents with large type and strong contrasts, without success (as I told the clerk). The shop clerks are clearly seen running with lists, prepared in advance, of the books I had requested. Because of my impaired vision I cannot read without the assistance of a machine. Because of my diabetic foot syndrome, I walk for short distances and rest frequently, using a cane from time to time for balance problems, and never leave my house without being accompanied by a family member or friend to assist me. The still pictures (some of which do not appear in the video) omit showing that I spent time in a more protected zone at the university, or that my wife ran toward me to help me get to the car from the University gate, or held my hand when we left the shop. The places shown are familiar to me, I know the way around from experience (as practicably as persons with severely impaired vision can), and as it was mid-day, the best time visually. The streets were not busy as claimed, one of them was a walking street, and my wife was next to me to assist me.

5. Adelson and his agents employ a detective who has been watching my house over a long period. Adelson was in Israel again for two weeks ending January 2, 2006 during this surveillance, showing again his ability to conduct operations in Israel, as well as his desire to harass me.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct to my personal knowledge, this 11 day of January 2006.


Moshe Haran

5. Adelson and his agents employ a detective who has been watching my house over a long period. Adelson was in Israel again for two weeks ending January 2, 2006 during this surveillance, showing again his ability to conduct operations in Israel, as well as his desire to harass me.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct to my personal knowledge, this __ day of January 2006.

Moshe Hananel

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 11, 2006.

/s/ James A.G. Hamilton

Ex. 113

Dr. Huleihel

כ"ה



המרכז הרפואי שערי צדק, ירושלים

Jan 8th, 06 To Whom it may concern
אל :
מאת :
Dr. M. Huleihel.

Ref. MOSHE HANANEL I.D-5275072-6
הנדון :

The above suffering from -D.M.
with ophthalmic complication,
underwent - two surgery in
his both eyes. (Vitreotomy + Endolaser)
He is legally Blind with 100%
Disability - Need assistant
for mobilization.
He can't fly Because Gas exchange
in his eyes. (especially long trips)

השופט מיועד להתחברות בתוך בית דין בלבד

קפל כאן -

מרכז רפואי שערי צדק
מרפאת עיניים

בברכה

Sincerely yours
Dr. M. Huleihel.
016320

749700004

Exh. 1:

Dr. Siev-Ner

ד"ר יצחק זיו-נר

אורטופד מנתח

רפואה פיזיקלית ושיקום

מנהל המחלקה לשיקום אורטופדי, המרכז הרפואי ע"ש שיבא, תל-השומר

טלפון: 03-5356866

פקס: 03-5348154

E-mail: zivner@netvision.net.il

רח' הקשת 6/35

קריית-און, 55401

To whom it may concern

4.1.05

Mr. Moshe Hananel is in my care since February 2005, due to Diabetic Foot Ulcers. He is 51 y.o., diagnosed with D.M. since 10 years. Currently he has complication in both target organs: Retinopathy (he is actually blind) and severe Neuropathy.

The Neuropathy affects also the proprioception. For few weeks I advised him to deload the foot and not to put weight on it.

Because of balance problems I recommended to use a cane (especially because he can't compensate with sight).

He is using special fitted Orthopedic shoes. His ulcers healed but he is at high risk.

Sincerely yours

I. Siev-Ner M.D.

Orthopedic Surgeon PM&R

ד"ר יצחק זיו-נר
מ.ר. 16482
אורטופד מנתח מ.ר. 15625
רפואת פיזיקלית ושיקום
גורן 1111

Exh. 1:

Dr. Admon



To whom it may
concern -

Mr. Moshe Chananel
T.2. 5275072-6

- This patient has very
serious diabetes & his
feet are in a critical condition.
He cannot see his feet to treat
them & he has recurring ulcers
which can become infected very
quickly & need emergency care.
He needs to be seen regularly
as every wound has a dangerous
element & may need amputation.
Podiatrist of the Diabetic Dept
of the Health Care
Dr. Judy Admon.

קופ"ח כללית מחוז ירושלים
תח"ת כף רגל סוכרתית
ד"ר חנניה א. מושבה ורמית
ירושלים

J. Admon 4K Jan 2006

04-JAN-2006 08:37 FROM SHERUT LAIVER

TO 95337404

P.01

Exh 1:
Ministry

**STATE OF ISRAEL
MINISTRY OF LABOUR & SOCIAL AFFAIRS
REHABILITATION SERVICES ADMINISTRATION
SERVICES FOR THE BLIND.**



04.01.2006

TO WHOM IT MAY CONCERN

This is to certify that **MR. HANANEL MOSHE**

Identity Number 052750726 is recognized by the Services for the Blind of
the Ministry of Labour and Social Affairs in Israel as being legally blind.

He has been issued a **Blind Certificate No 026872**

Any assistance that can be provided to him will be greatly appreciated.

Sincerely Yours
מנכ"ל משרד
YOSI CORCIA
Director.

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TOTAL P.01